

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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| IN THE MATTER Of The Application of |) | |
| WESTERN WATER COMPANY For Authority |) | UTILITY DIVISION |
| To Transfer The Assets and Operating |) | DOCKET NO. 87.3.20 |
| Responsibilities Of Its Water Utility |) | ORDER NO. 5271 |
| in Missoula, Montana To The Clark Fork |) | |
| Water Co., Inc. |) | |
| _____ |) | |

1. On March 31, 1987, an application was filed with the Montana Public Service Commission (Commission), by Western Water Company (Western or Applicant), a water utility located in Missoula, Montana. The Applicant requested that pursuant to jurisdiction established by Section 69-3-101 et seq., MCA, the Commission approve the transfer of Western's assets and operating responsibilities to the Clark Fork Water Co., Inc. (Clark Fork). Clark Fork proposes to continue water service to all consumers previously supplied by Western. Transfer of the assets will not in itself result in a rate increase for any consumer.

2. On April 10, 1987, the Commission issued a Notice of Opportunity for Public Hearing, which was sent to the Montana Consumer Counsel and was published in the Missoulian. The Notice gave interested parties until May 11, 1987, to request a hearing or submit protests regarding the Application.

3. No protests or requests for public hearing were received. Accordingly, no public hearing was scheduled in this matter.
4. A review of the Application indicates no threat to the adequacy or availability of service to the utility's customers.
5. The proposed new owner appears to have the financial and other resources necessary to provide adequate service in the future.

CONCLUSIONS OF LAW

1. This Commission has jurisdiction over the parties and matters contained in this Docket.
2. The application demonstrates that the transfer of ownership will not result in inadequate service or unreasonable rates.
3. The proposed new owner is fit, willing and able to assume the service responsibilities associated with ownership of the water system now owned by Western Water Co.
4. The proposed transfer is in the public interest.

ORDER

NOW THEREFORE, IT IS ORDERED THAT:

1. Western Water Company is hereby authorized to transfer its assets and operating responsibilities to the Clark Fork Water Company.

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2. Upon transfer, the Clark Fork Water Company shall file rates, consistent with those outlined in the application, for provision of service to consumers in its Missoula, Montana service area.

DONE IN OPEN SESSION this 1st day of June, 1987, by a vote of 5 to 0.

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BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Commissioner

TOM MONAHAN, Commissioner

DANNY OBERG, Commissioner

JOHN B. DRISCOLL, Commissioner

ATTEST:

Ann Purcell
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision.
A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.